

Application No. 09/675,548
Amendment dated April 8, 2005
Reply to Office action of January 14, 2005

REMARKS/ARGUMENTS

The Office Action mailed January 14, 2005 has been carefully considered by Applicant. By the present Amendment, the application is placed in condition for allowance, in accordance with the requirements of the Office Action.

ALLOWABLE CLAIMS

Claims 3, 4, 8 and 11 are indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By the present Amendment, claims 3, 4, and 8 are amended to independent form and, as such, are placed in condition for allowance. Claim 11 depends from claim 3 and is also believed in condition for allowance.

Claims 5, 6 and 7 are amended to depend directly from claim 3 and are thus also believed in condition for allowance. Claims 12 - 25 are added and depend directly or indirectly from allowable claims 3, 4 or 8, and as such, are also in condition for allowance.

SPECIFICATION

The title of the invention has been objected to as not being descriptive. By the present Amendment, the title is amended and is indicative of the invention to which the claims are directed. No new matter is added by this Amendment. The Specification is thus believed in condition for allowance.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 1, 2, 5 - 7, 9 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Rydningen U.S. Patent No. 5,680,219 in view of Luster U.S. Patent No. 6,324,016. By the present Amendment, claims 1, 2, 9 and 10 are cancelled. Claims 5 - 7 are amended to depend from allowable claim 3. As such, the outstanding claim rejections are rendered moot.

RESPONSE TO ARGUMENTS

To further prosecution of the present application and gain allowance thereof, Applicant has acquiesced to the requirements of the outstanding Office Action. However, Applicant respectfully disagrees with the Examiner's interpretation of the prior art and the Examiner's conclusions regarding the applicability of the prior art to the claims of the present application.

It is respectfully, yet strongly asserted that the Examiner has misinterpreted the Rydningen '219 reference and specifically the passage at Col. 3, lines 24 - 26 and lines 27 - 29. Rydningen '219 clearly states that: "in the invention, two parabola-shaped mirrors are used" [Col. 3, lines 3 - 4], and "comprising first and second concave parabolic mirrors, the parabolic shape of the mirrors having a focal axis" [Col. 4, lines 38 - 40]. Accordingly, Rydningen clearly mentions only paraboloid mirrors, not planar-parabola mirrors. It shall also be noticed that paraboloid mirrors only have focal axis, whereas planar-parabola mirrors do not have such axis, but a respective plane. This is absolutely clear to any person skilled in the art.

Rydningen '219 indeed says that "the concave sides of the two mirrors are turned 90° against each other in the plane of the short sides (narrow edges)". This sentence does not define the form of the mirrors, but says that the mirrors are turned, i.e. moved in a plane to a certain position. This fact is more precisely defined in claim 7 of Rydningen '219: "said first and second parabolic mirrors are arranged so that the focal axes of the mirrors are lying at an angle of 90° to each other" [Col. 5, lines 4 - 6].

In general, it shall be noticed that positioning a piece in respect to, e.g. a plane, does not say anything about the piece. As a different example, we can say that a ball is turned, i.e. moved or transferred in the plane. According to the Examiner, the ball is, after this kind of definition, not any more a normal ball, but a ball with some planar surface. This is clearly incorrect. Causing e.g. a tennis ball to run along a floor does not require that the

Application No. 09/675,548
Amendment dated April 8, 2005
Reply to Office action of January 14, 2005

ball have any planar surface, the less any planar surface is needed so as to position mirrors in any position to each other.

Rydningen '219 unambiguously teaches only paraboloid mirrors.

CONCLUSION

The present application is thus believed in condition for allowance. Such action is respectfully requested.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

A handwritten signature in black ink, appearing to read "Peter T. Holsen", written over a horizontal line.

Peter T. Holsen
(Reg. No. 54,180)

100 East Wisconsin Avenue
Suite 1100
Milwaukee, Wisconsin 53202
(414) 271-7590